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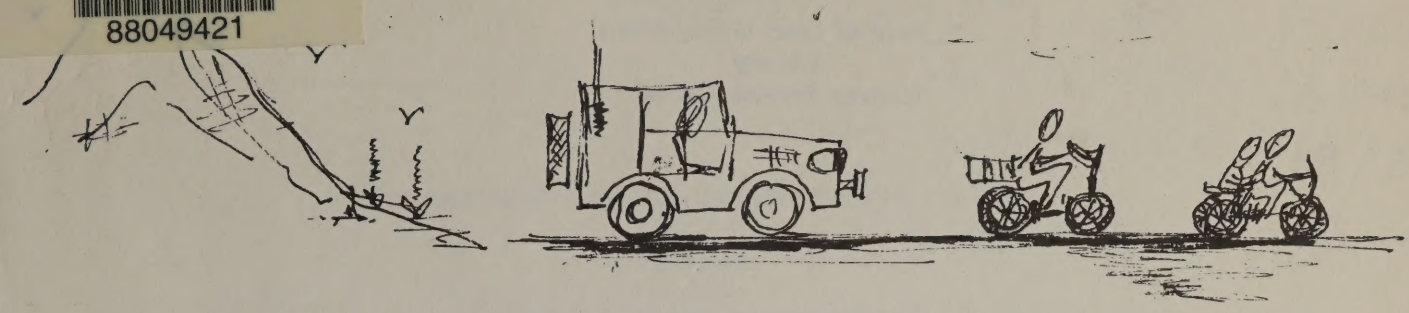

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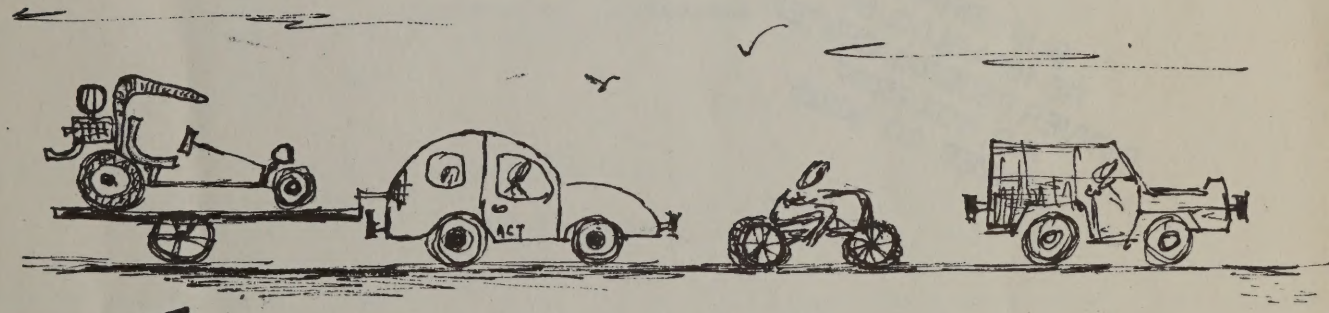

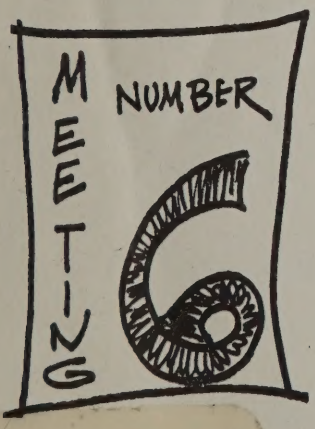

Minutes of the California
OFF-ROAD VEHICLE ADVISORY COUNCIL
bureau of land management
u.s. department of the interior

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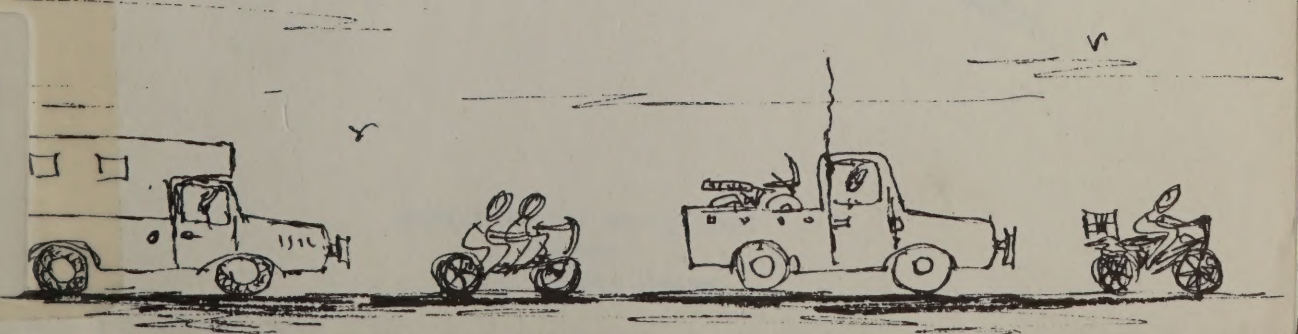

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OFF-ROAD VEHICLE ADVISORY COUNCIL

to the

BUREAU OF LAND MANAGEMENT

MEETING

May 2, 1972
Sacramento, California

PROCEEDINGS

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Bureau of Land Management
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OFF-ROAD VEHICLE ADVISORY COUNCIL

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Ron Sloan	American Motorcycle Assn.	4725 Burgandy Road Woodland Hills, Calif. 91364 213-889-1000
George S. Strauch	Calif. Federation of Mineralogical Societies	20269 Yeandle Avenue Castro Valley, Calif. 94546 415-557-0244
Ray Talbot	Calif. Woolgrowers Assn.	1232 Talbot Street Los Banos, Calif. 93635 209-826-3725

ATTENDANCE

Board Members:

Beula Edmiston
Robert Ham
Howard Harris
Alfred H. Kramm
J. R. Penny
Al Schiavon
Ron Sloan
George S. Strauch
Ray Talbot

Absent:

Jack L. Edwards
E. Lamar Johnston
Dan Kelsay
H. F. McMurphy (Represented by Russ Sanford)
Roger K. Mitchell (Represented by Bill Holden)
E. C. Fullerton (Represented by Lawrence Cloyd and David Zeiner)

Bureau of Land Management:

State Office:
E. J. Petersen
Kay W. Wilkes
Jim Young
Robert Metzger
Robert McCarthy
Jerry Harrell
Ed Smith
Ed Frandsen
Craig Tocher
Larry Crawley
Leon Kabat

Riverside Office:
Delmar Vail
Bill Flint
Paul Petty
Neil B. Pfulb

Bakersfield Office:
Lou Boll
Walter Isaacks

Redding Office:
Wayne W. Zinne

Ukiah Office:
Alan Bellon
Walter Madison

Folsom Office:
Alan P. Thomson

Susanville Office:
Dean Bibles

Washington, D.C.
Dr. Floyd L. Newby

Nevada State Office:
Richard Barber

Guests:

Burt Stanley, Regional Solicitor's Office
Frank Bragg, Calif. Dept. of Motor Vehicles
Ronald D. Rawlings, Calif. Dept. of Parks and Recreation
Richard H. Baker, Calif. Outdoor Recreation League
Hildamae Voght, Calif. Outdoor Recreation League
Richard Acostia, FMC Corporation
Glenn W. Harris, Hollister Hills Motorcycle Playground
Les & Winnie Darling, CFMS, AFMS

ATTENDANCE

Board Members:

Sevia Edmiston
Robert Ham
Howard Harris
Alfred H. Kraus
J. R. Penny
Al Schiavon
Don Sloan
George S. Strauch
Ray Talbot

Absent:

Jack L. Edwards
E. Lamar Johnston
Dan Kelsay
H. F. McMurphy (Represented by Russ Sanford)
Roger K. Mitchell (Represented by Bill Holden)
E. G. Pulliam (Represented by Lawrence Lloyd and David Reimer)

Bureau of Land Management:

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Hildemae Vogbt, Calif. Outdoor Recreation League
Richard Acosta, PMC Corporation
Glenn W. Harris, Hollister Hills Motorcycle Playground
Lee A Wimple Berling, CPMS, APMS

OFF-ROAD VEHICLE ADVISORY COUNCIL MEETING

Sacramento Metropolitan Airport

Camellia Room A

May 2, 1972 8:30 a.m.

A G E N D A

Introductions	Howard Harris
Opening Remarks	J. R. Penny
Problems Involved in ORV Management	Howard Harris
Where Are We Today in ORV Management	Paul Petty
LUNCH 11:30 a.m.	
The President's Order on Off-Road Vehicles	Dr. Floyd Newby
Where Do We Go From Here?	Council Members
Adjourn	

OFF-ROAD VEHICLE ADVISORY COUNCIL MEETING

Sacramento Metropolitan Airport

Camellia Room A

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Adjourn		

OFF-ROAD VEHICLE ADVISORY COUNCIL

to the

BUREAU OF LAND MANAGEMENT

6th MEETING

May 2, 1972

Sacramento, California

PROCEEDINGS

INTRODUCTIONS

by

HOWARD HARRIS
Co-Chairman

Harris: Good morning, ladies and gentlemen. Let us start with introductions of board members, Bureau of Land Management personnel, and guests. (See list of Attendance).

Cloyd: I no longer represent Calif. Dept. of Fish & Game. I retired last December.

Harris: We want to recognize your good work with the committee.

Penny: And I wanted to be sure that Larry came. He has had a lot to do with this committee and we value his good judgment.

Harris: This is a very critical meeting because we must decide where we go from here. We have the President's Order. We have seen reactions to it, some rather vigorous, from opposing points of view.

Since we met last time there have been several other developments, such as legislation for licensing. That was one of ORVAC's recommendations. We did not recommend a revenue with it, but

the Legislature chose the opposite. Mr. Frank Bragg of the Dept. of Motor Vehicles will remark on that. You have the Chappie-Z'Berg bill in your handout packet.

Bragg: I represent the Dept. of Motor Vehicles in Sacramento, as a special consultant on their new off-highway vehicle registration program. This fact sheet outlines recent legislation concerning off-highway vehicle registration. If any of you represent groups who can help us distribute these, please let me know.

We believe our initial estimates of the amount of revenue generated by the bill is high because people who own trail bikes will make them street licensed, at little extra cost. That money will not come in to the special fund for off-highway vehicle parks and courses.

Harris: Are there any questions?

Edmiston: The Desert Protective Council would be very happy to have a quantity of the brochures.

Rawlings: What groups will come under this program? We assumed we would be dealing with 4WD, dune buggies, motorcycles. We initially overlooked that many of the users who will be affected by the act are actually kids under 16 years of age on mini bikes. We need to study whom we actually should be serving under this program. We look forward to a positive program of providing facilities for people registered under the off-highway vehicle act.

Harris: Is there other legislation that we need to discuss?

Sanford: There were several pieces of legislation enacted last year to lower acceptable decibel levels for motorcycle exhausts. From 92 decibels the limit dropped to 88, and 2 years later it drops to 86. This legislation was supported very strongly by the motorcycle industry and the American Motorcycle Association.

Sloan: In District 37, in Southern California, even prior to the legislation, it was mandatory that every machine had to be silenced.

Edmiston: What decibel level is considered silent?

Harris: Eighty-two decibels at 50 feet is standard. Ninety is supposed to be injurious to hearing.

Speaking of laws, there is also legislation on parking off-road vehicles.

Baker: Four counties have restrictions, with the most severe in San Diego County. You may not use, occupy, or store a recreation vehicle in any unincorporated section of that county.

Harris: In other words, the off-road vehicle owner is faced with the possibility he won't have a place to put it.

Russ Penny, do you have some opening remarks?

OPENING REMARKS

by

J. R. PENNY
State Director & Co-Chairman

Penny: Where do we go from here? I want to discuss this question with you further, and I imagine you have some thoughts you want to express, but, first, I would like to mention some things that have taken place since we met last year.

As you know, a number of us here today were in Southern California yesterday where the Secretary of the Interior, Mr. Rogers C.B. Morton, dedicated 19 major recreation lands within the California Desert. This indicates the recognition that public lands managed by this Bureau are beginning to receive. The Imperial Sand Dunes was the site of the Secretary's formal dedication ceremony, and happens to be one of the most heavily used off-road vehicle use areas in this country.

Secretary Morton impressed me, too, with his remarks on policies. He said he didn't think we had an adequate land use program in the Federal Government, and it was high time we got moving.

I would like to mention a little about ORVAC itself, and the recognition that it has received. You should be proud of the way that your recommendations have been received, and the influence they have had. Last year I went to Michigan and participated in a symposium dealing mostly with snowmobiles. Paper after paper told of the effects of snowmobiles on plants, animals, human hearing, etc. But the only management statement was mine, which primarily pointed out the recommendations of ORVAC. I can say, with complete modesty, that it was THE paper that received

attention. Comments supported an approach similar to the recommendations of ORVAC. I was very pleased about it.

I can't help but feel that your recommendations had a great deal to do with the President's Executive Order. Someone mentioned to me that it looked like some of it was taken right out of ORVAC. You have had more to do with the leadership and development of thinking on management of off-road vehicles than any other group.

This is borne out by passage of California's Off-Highway Vehicle Registration Law. Last year, the Bureau furnished the state legislature copies of ORVAC. It is safe to say that your pioneering efforts contributed significantly to passage of the Chappie-Z'Berg Bill. This new state law will be a big help for the Bureau in overall management of off-road vehicles.

Other items, which bother all of us, are resource damage, safety, sanitation and cleanup situations observed over the past year. Indications are that general ORV use and special events need to be placed under much more intensive management if resource values are to be protected and serious accidents and health problems avoided. For example, the Riverside District death and serious injury record is not good - last year we recorded 125 deaths due to heat and dehydration, drownings, mine shaft falls, off-road vehicle mishaps, etc. This compared to 76 deaths in 1970. Serious injuries such as internal, broken bones and surface wounds totaled nearly 2,000 during 1971. This is awesome, and as indicated by the increase from 1970 to 1971, the rate of increase is alarming.

Recreation use of the public lands is increasing rapidly in all our districts, but the biggest increase by far has been in the California Desert. Since our study in 1968, when the desert received nearly 5 million visitor days of use, we have experienced a 50% increase in use in only 3 years. There were 7½ million visitor days of use during 1971. Recent studies indicate that nearly 40% of all desert recreation users indulge in some form of off-road vehicle use. Along with this increase in visitation we get the problems of overuse, vandalism and accidents.

I see this growing list of accidents as one of the most serious problems facing the Bureau of Land Management in California today. With the various hazards that exist on the public lands, from abandoned mine shafts, washed out roads, unsupervised concentrations of users, to discarded and unexploded military

ordnance, it is realistic to say that serious injuries and deaths occur every week on the public lands here in California. These public land mishaps, which are a very sad experience to the families involved, also create problems for the Federal Government because of the growing threat of tort claims filed by parties involved. And, I've mentioned before, we have 250,000 mine claims. Perhaps 95% of those are abandoned. We are quite interested in legislation being introduced to amend the 1872 mining laws. It would require registration of all mining claims with BLM. Failure to do so would, within one year, constitute abandonment of the claim and it would revert to public domain. I don't know what the possibilities are of this legislation being enacted, but we have our fingers crossed because it would be a boon to us insofar as identifying claims and getting this hazard problem resolved.

Edmiston: Is the mining legislation you mention part of the Organic Act?

Penny: Originally it was a part of the Organic Act, but there are now companion bills, numbered S 2727 and HR 11527. The Organic Act is something else again. We are pushing hard for that, because it will provide us with the enforcement authority which we need. It is not the only enforcement authority that we would like to have, but it does give us authority to make arrests, or to cite violators of our regulations, or bring them before a magistrate. This is a perplexing problem, and a lot of it involves the attitudes of some of our judges. Recently, I received a letter from a judge concerning an action against violators of the Panoche closure notice. He stated, and I quote, "This Court does not feel it has jurisdiction to try any case under this Federal Regulation". This illustrates what we are up against. But the Bureau has improved its position as far as controlling use of the desert.

Recently, we were authorized to recruit the nucleus of our Desert Planning and Inventory staff and 20 persons for positions in the critical management program, including 15 desert rangers. This manpower increase is an important beginning through the normal budgetary process. The budget for the fiscal year beginning this July permits $926,000 and 36 additional positions for the desert program. However, this compares to $3,000,000 and 70 positions called for in the California Desert Program to keep it on a five-year schedule. This was brought to Secretary Morton's attention yesterday. He has urged the Office of Management and Budget to amend the President's budget to include the three million dollars. I am optimistic. The Secretary recognizes the need, and I feel good things are coming.

Along these lines, legislation to implement the California Desert program has been introduced by Congressman Bob Mathias of Bakersfield. His Bill is H.R. 9661. This measure would designate the desert as the "California Desert National Conservation Area". It would provide for immediate and future protection of desert resources.

The Department of the Interior has recommended a favorable report on the legislation, and forwarded it to the Office of Management and Budget. Among other things, the Mathias Bill would authorize appropriation of 28.6 million dollars for the Desert Program, including 12.5 million for planning and inventory .

This year we will begin construction of our first Desert Way Station at Barstow, California. This facility, manned with our first complement of Desert Rangers, will give us the start of our comprehensive "people" management program. Other people-oriented facilities will be opened this year also. In the Imperial Sand Dunes a 3½ mile road will be opened to the public providing for more and better access to the dunes by ORV users. This road should also reduce the hazards presently involved by people parking along existing State Highway 78, which passes through the dune area. An additional seven (7) to ten (10) mile road segment is scheduled for the next fiscal year to provide more opportunity for off-highway access to the dunes.

Increases in manpower for the Bureau in the next fiscal year should allow us to better handle the increasing number of off-road vehicle events. Last year we issued approximately 150 letters of authorization to organized clubs for special events around the state. A great majority of these events took place within the California Desert and I have asked Mr. Paul Petty of our Riverside District to comment to you in more detail this morning because of the significance and magnitude of this activity.

We have also experienced an increase in unauthorized organized events being held on the public lands, which numbered about 50 in 1971. This does not consider the individual club outings of course. This number is attributable to a number of reasons: our lack of manpower in 1971 to cope with all requests, lack of basic resource data on public lands requested for use (requiring a denial of the request), and lack of enforcement authority to back up our decisions not to allow events in certain areas. Some clubs deliberately held events even though they were informed they could not hold them on the requested areas.

With our increase in manpower this year we plan to institute Special Land Use Permit procedures July first, instead of letters of authorization. This will allow more complete management of the organized events, even though it means more work for our field staffs. It should not change the procedures or effort expected of the organized user groups to any extent. However, it will require an organized effort by the Bureau and the user groups to see that applications are filed well in advance of races to allow proper processing and conflicts of scheduling.

Our districts have taken the recommendations developed by ORVAC, and through the use of local off-road vehicle advisory councils, and the implementation of our planning system involving criteria developed by this council are now analyzing the public lands in relation to off-road vehicles. In this regard, we do have an area at Stoddard Valley near Barstow set aside for off-road vehicle use. This area has helped to meet a pressing and immediate need, but its designation should not in any way be construed as final. Rather, it is a pilot area where we can meet a public need while developing information and refining management techniques for off-road vehicles.

During the past year the Bureau has not had the manpower to develop a detailed analysis of all its resources in relation to off-road vehicle use. Instead, as I have mentioned earlier, we are now applying ORVAC criteria on a case by case basis within our Bureau Planning System.

The urgency for the Bureau to initiate an immediate management program concerning off-road vehicles has been underscored by the issuance of the President's Executive Order 11644, requiring management of off-road vehicles on all public lands. So that we all get the latest analysis of the administration's work on this subject, I have asked Dr. Floyd Newby from our Recreation Staff in Washington D.C. to discuss this morning the Bureau's thoughts on the implementation of the order.

In summary, I believe that the combined efforts of dedicated groups like yours and our own professionals means that daylight can now be seen at the end of the tunnel. We have attracted the attention of legislative leaders and those who hold the purse strings. Money is being made available, and we are beginning to get the people we need to do the job.

Before I close, we have had several personnel changes over the year. They are key positions and I would like to mention them. In our State Office Kay Wilkes has replaced Bill Leavell as Chief of Resources; Bob Metzger has replaced Jesse Lowe, our Planning Coordinator; Jim Young is our new head of Tech. Services; and Roland Rush is the new head of Management Services. We also have some new faces in our districts. Mel Clausen has replaced John Lanz in the Ukiah District; Del Vail replaced Jack Wilson in Riverside; Al Thomson replaced Del Vail in Folsom; and Lou Boll replaced Bob Springer in Bakersfield. I would also like to mention that Neil Pfulb has joined our staff to become the Director of our Desert Planning Staff. Neil was formerly Planning Director for San Bernardino County. So as you can see, we have had a number of changes since last year.

Harris: Questions are in order now.

Cloyd: You mentioned yesterday that the first of July you will get 1.2 million, but do you feel you need 3 million on top of that?

Penny: Right.

Cloyd: That would allow you to hire additional personnel?

Penny: Right, about 70 more.

Cloyd: If you get the authority for enforcement, what percentage of that 70 would be for law enforcement people?

Penny: We are proposing to have the ranger force built up to 55 as the initial start.

Cloyd: Fifty-five all over the state?

Penny: No, in the desert, and that doesn't include the increase in the resource specialists we would need. We need archaeologists, historians, ecologists, and other specialists in addition to enforcement people. To start with we will have a Chief Ranger on the district staff. He will be a well qualified, experienced person. We propose, also, that each of our areas will have a ranger in charge of enforcement working under our area managers. To start with we want experienced people as a nucleous. Under them we will have people with less experience, but all will attend the same sheriff's academy, and all will actually be "roving ambassadors".

Harris: We recommended that historical, archaeological fragile plant areas be set aside. Would these rangers help enforce that?

Penny: Yes. Yesterday the Secretary responded to Dr. Mildred Mathias' plea that we do this very thing. He made it very clear that he is in full support.

Edmiston: The Desert Protective Council offers its expertise in identifying and surveying, in cooperation with the Bureau, and/or other groups, these fragile and important areas.

Penny: Thank you. The Bureau is setting up a procedure for participation of government agencies, user groups, private industry, university systems, etc. and we are very sincere about it.

PROBLEMS INVOLVED IN ORV MANAGEMENT

by

HOWARD HARRIS
Co-Chairman

Harris: One of our ORVAC recommendations was that there be district input from the public. What is going on out in the field?

Penny: We have not closed any areas other than Panoche, nor have we designated any areas as ORV use areas other than Stoddard Valley. We have studied others and there are committees working. Lou, you might have something on this.

Boll: Our District ORVAC met before I came to Bakersfield. They made specific recommendations on 5 or 6 areas, some open and some closed. We have been operating with letters of authorization for specific organized events.

Harris: What kind of people are serving on these advisory groups?

Boll: Les Darling is the chairman, he is here today.

Darling: We had a cattleman, a sheepman, a mining engineer, motorcycle groups, dune buggy groups, and a mineral collecting group.

Harris: How about Sierra Club or Desert Protective Council?

Darling: Yes, Sierra Club was there.

Cloyd: Was there any kind of California wildlife representative?

Darling: Yes. And law enforcement also.

Harris: Do you have anything for us, Del?

Vail: I would like to give a very brief summary of Stoddard Valley and the accomplishments of the Hi-desert ORV use committee. The area contains 12,500 acres of public domain and is located just south of Barstow. Access is via Highway 15, Linwood and Quarry exits and Stoddard Well Road. During several weeks of evaluation the committee visited the area both as a group and as individuals, before the recommendations were made to consider it as suitable for ORV use.

Holden: You know there is a desert tortoise area in Stoddard Valley.

Edmiston: How is the cyclist going to identify the boundary? This is a major habitat. And the tortoise itself is a rare creature.

Kramm: Isn't it possible to transplant the tortoises?

Edmiston: No. The scientific community believes that transplanting is not simple. Tortoises have a homing instinct.

Penny: This certainly illustrates the matter of conflicts.

Sloan: At the first meeting of ORVAC we said setting an area aside for off-road vehicles increases concentration in that specific area. It draws too much attention to it. Motorcycle parks are feeling this problem now. It evolves into the philosophy of leave the majority open and protect the smaller areas. If you look at the Stoddard Wells area you will find a heavy concentration of use, which creates as many problems as if they were spread out more.

Harris: It has been our experience that where you have lots of room, the area is not devastated, and recovers. Where you concentrate the use there is complete devastation.

Penny: Every area has a carrying capacity, whether it is stock or motorcycles.

Schiavon: What we are actually talking about is people management.

Harris: On our farm we decided to have a density ceiling, and then close the door. Certainly we see that happening in the parks. When the density is reached - that is it.

Sanford: Sometimes we go overboard in our reactions. Had there been no tortoises in the region we talked about, or if the tortoise problem was resolved, there would be an insect protection league saying people shouldn't go out there because they are destroying the insects. We have to remember that man is part of the ecology as well, and we have to weigh his needs, too.

Holden: Russ, I'm sure this occurs now, in the Imperial Dunes. Scientists are concerned about nocturnal insects that are rarely seen. Daytime recreationists see only sand. We should mention here, too, that everyone is talking about open or closed. There are intermediate areas also.

Harris: Dean Bibles, what's happening up your way?

Bibles: We are approaching off-road vehicles as we are other resource uses in our framework planning process. We haven't established an ORVAC committee like other districts with heavy use, but we do have input in our planning system from organized off-road vehicle clubs, just as we do from wildlife interests, wilderness interests, and others.

Bellon: In Ukiah we have different problems because of heavier vegetation and rougher topography. We did set up a local committee last year. There was agreement between the committee and the Bureau that three or four areas of unique vegetation need protection, and there is one potential wilderness area we are considering restricting.

Harris: Ray Talbot, if you were asked where are we today in off-road vehicle management, what would you say? How is it, for example, in Panoche?

Talbot: You solved one problem there, but trespass became a whole new problem. We are talking people management, and I wonder if the Bureau of Land Management belongs in people management. When you consider the vast amount of land they have under their control, managing people is a vast endeavor.

Penny: What are the alternatives?

Talbot: This I don't know. To manage all the people interested in recreation, and in turn manage the land resources themselves, I think it is too much at this time for your Department alone.

Baker: For thousands of years all this has been on the basis of individual accountability, or individual conduct. Are we going to ban all activities as opposed to specific acts? You do not close the highways because some speed. If we are going to close off 1/3 of the land because of a few outlaws, then we will get into a worse situation.

Harris: Your suggestion is, then, to close out the outlaws instead of the land.

Pfulb: In looking at damage being done in some areas by outlaws, one statement made by the Secretary yesterday is applicable. He said where there is evidence of irreplaceable damage being done he is going to be on the side of conservation. That's the general policy, and it has to be applied with logic.

Strauch: An area of friction between rockhounds and motorcyclists is Clear Creek. The Chappie-Z'Berg law will help in identifying vehicles and their owners.

Harris: The Clear Creek area was to be closed to motorcycles. Are there any new developments on that?

Thomson: Clear Creek is an example of uncontrolled use. The creek flows through what could be called a campground. Motorcycles cross the creek indiscriminately. We have to get some sort of closure. But, there is a lot of area in that drainage that could be used by motorcycles without hurting it much. There are areas which apparently have a high magnesium content and there is nothing growing. We have an environmental analysis prepared on this area, but we haven't subjected it to any public strutiny as yet.

Harris: There have been as many as 2,000 motorcycles in one day in that canyon.

Strauch: Why do motorcycles use the only part of that area that we are interested in? Our people can't understand that.

Cloyd: I would like to comment on some of the things that have been said. Ray said that maybe BLM shouldn't be in people management. You can't separate people management and land management. If BLM doesn't do it, somebody else is going to have to,

and they will have to have the manpower and money to do it.

Harris: One of our main suggestions from ORVAC was that enforcement authority be given to the Bureau.

Sloan: We are all using the word enforcement. No one likes the word enforcement. Most people disrespect authority.

Harris: What about this word "Ambassador"?

Sloan: I like that, and I like it without the gun, Russ. You feel a lot better when someone forewarns you what could possibly happen, and he motivates you. But when you use enforcement, saying you can't do this, you can't do that, they are going to do it anyway. They disrespect that type of authority.

Penny: How about those who hold an organized event after we have asked them not to? My point is, I don't think you have to use a club because one is handy.

Sloan: People in our organizations are working deligently with BLM to do what is necessary.

Penny: That doesn't take away, though, the need to have the strength of the law behind you.

Sloan: Add the strength in a different area. Dealing with the Riverside Office, it is a dream to go in and get your permit and work out your course. You don't need the enforcement in that regard. If you went out there the day of an event, with 2,000 entries, you are not going to be able to stop that, even with the power of the law behind you.

Penny: Are you saying we shouldn't have law enforcement authority?

Sloan: No. I think you should have it. But you should put your strength in another place, and not worry so much about funding law enforcement authority. That will take place and you will have your rangers, but 55 rangers for the entire desert area is not going to handle it. Put more money and efforts into education procedures.

Talbot: I think it is terribly wrong to open up areas until you can control them. Panoche is a perfect example. You opened an area without law, without enforcement of people. In 24 months it was a shambles and you had to close the gate. I think

these people have a very legitimate use, but the areas should be open as you have the control facilities.

Penny: Ray, that was one of our guidelines. We are following the principles of not opening up areas that are now inaccessible unless we can manage them. This is one of our policies that we are using without saying much about it. We are being very careful about opening up areas, just for the reasons you mentioned.

Zeiner: The American Motorcycle Association recently published a land use supplement. It is an excellent documentation of problems motorcyclists themselves have recognized, and solutions they recommend.

Penny: If you will give us the name, we will get copies and distribute them to members of the committee.

Zeiner: American Motorcycle Association News, Land Use Supplement, November, 1971, Box 231, Worthington, Ohio, 43085.

Schiavon: The California Wildlife Federation is happy to see the BLM come out of the dark ages as a disposal agency and become a management agency. We feel they are progressing well, considering the short length of time they have been a managing agency.

Kramm: One of the areas stressed in ORVAC was public education. Much can be accomplished with a ranger force. The Way Station at Barstow is one of the first parts of this educational program, and I am glad to see it come. And, I believe that the BLM must manage the land for multiple use to include people. I can't see how 460,000,000 acres can be divorced from management for the use of the people. The BLM Organic Act is essential, that is the giving of authority, and budget, to the Bureau, for the management of its lands. Also, we should not forget that alternative recreational opportunities must be provided close to population areas as a means of taking pressure off of public lands.

Harris: Thank you, Al. Bill, how about you.

Holden: We feel that the land must survive if man is going to survive. The frontier mentality is still not quite dead. We no longer have abundant land. We are killing it and must find a balance.

Harris: Russ Sanford, do you have anything to add?

Sanford: We have to keep in mind that our own connotation of off-road vehicle or off-road vehicle use depends a lot upon geography, topography, and vegetation.

Harris: Beula, may we hear from you.

Edmiston: On the definition of off-road vehicle I think we have a general idea. I know some people have a different definition of off-road vehicle than we who live in the desert.

Ham: Yesterday, at the Imperial Sand Dunes I heard on big week-ends there are 14,000 recreationists using that area. The Secretary said the first time he had seen those dunes was in 1932. He said the area had not visibly changed since his first experience there, some 40 years ago. This is an example of the type of place that can get high density use, and still not suffer. The problem in the dunes isn't damage to the resource, but it is a safety problem. People camp on the highways and sanitation facilities are inadequate. Now the Bureau is trying to provide us a safe place to camp.

Penny: You might mention what development the Dune Buggy group recommends there.

Ham: They have made recommendations, including a national interpretive area closed to vehicles except on guided interpretive tours. We had nothing against this type of closure.

Penny: The Bureau asked this committee what should be done to develop this area, to getting the people off of the road and preventing deaths. They suggested a road thru the dunes where people could park on blacktop and have sanitation facilities. It is expensive, but this is what the Bureau is doing, as I told the Secretary yesterday, if we get that 3 million dollars.

Edmiston: Percentagewise, now much of the dunes is a natural reserve, and how much is open for dune buggies?

Ham: There is a lot of area left open not necessarily for dune buggies, but for all recreationists.

Harris: Maybe Craig can give us the percentage Beula asked for.

Tocher: Highway 78 splits the dunes about in the middle. If you want to get a rough percentage, it might be 40% for a natural area and 60% for dune buggies.

Slide Presentation

Harris: My family has been in the recreation business for about 20 years, dealing with motorcycles and off-road vehicles. Some of these slides will illustrate problems, some solutions. Regarding this definition of an off-road vehicle, it is almost impossible to make a simple, blanket statement defining an off-road vehicle, stating where it should be allowed, or how it should be regulated. Various definitions might include the airplane, automobile, camp-cars, mobile homes, 4WD vehicles, snowmobiles, dune buggies, motorcycles, tractors, or even bull dozers. Any one of these, under the right conditions, can be a constructive vehicle. Any one of them, under the wrong conditions or operated in an undesirable manner, may be a destructive vehicle.

On our own 3,500 acre park we have observed identical erosion gullies resulting from steep foot paths of Sierra Club hikes, trails of hill climbing motorcycles, steep cattle trails near watering places, mining operations, jeep trails, and my own automobile. What has the greater impact upon our resources? In our experience rockhounds are the least destructive, and 18 year old kids on big motorcycles are the most destructive. And, too, organized groups are least destructive, and individuals are more destructive. It is not the vehicles alone that are so destructive, but how they are used. As we said before, managing people is the problem.

The first thing we have learned is that it takes a lot of room and varied topography for off-road vehicles. I would like to have at least 10 acres per vehicle. Oakland had a park of about 160 acres, and when 1,500 motorcycles came in it is no surprise that they killed 5 children.

The other thing is the impact on the vegetation. This slide shows where motorcycles have run 20 years with little impact.

We believe you must direct traffic. Some places you can turn them loose in open fields, but in a wooded area they must be directed.

Shown in this slide is the negligible impact on some open rolling hills after several years service. There was no concentrated use and it is on adobe soil with 15 to 18 inches of annual rain. If you had that same use, say in Panoche, you wouldn't see the same recovery because rainfall and soil conditions wouldn't allow it.

Motorcycles need all kinds of topography. The hillclimb in this slide is a mile from bottom to top. Motorcyclists need a challenge.

This next slide shows some of the topography on our place. These hills have been used for 20 years. There has been no rehabilitation here, and no appreciable erosion. This is with rainfall varying from 6" this year to 40" in 1955.

On these rolling hills there is no speed limit. You can go 100 miles an hour if you like. We do have a rule: Where you can't see 200 feet the speed limit is 15 miles an hour. We enforce this strictly. We have 8 regular motorized patrolmen, my family of half a dozen, and the "good guys" who help keep the "bad guys" under control.

People come here for different purposes. Some come for the open riding, some only for hillclimbs. Some like twin climbs with a drag start and race side by side. Others compete against time, and some against distance. These competitions keep a lot of people occupied. It is our motto that the more hill climbs we have, the more people you will keep safely occupied.

This slide shows the parking problem when you have 2,000 automobiles.

This view shows the need for crowd control, water supply, sanitary facilities, eating facilities and garbage cans.

Here is a different kind of a track. This slide shows the "wild man's track". You have to be crazy to go on it. All the turns are banked the wrong way, and it is a real challenge.

In this view each fork is a one way path, and we stress the importance of one way roads.

This one illustrates that family groups have taken over the motorcycle riding business. One day we counted 211 women and kids to 111 men, indicating that the while family is coming out. Most people come in a pickup or with a trailer.

People need direction. Signs are needed for everything. One Saturday we lost 56 signs. Here is another mini-bike area. Especially where the kids are, we have a 5 mile an hour speed limit. We have many signs of caution and direction. Accidents

seem to happen, so you have to be prepared for ambulance service or first aid.

Here is an example of one of the problems - dust. A water wagon is a must.

The garbage problem is illustrated here in these slides. We now have people trained to at least depositing it by the garbage can instead of scattering it. This means garbage pickup service, and a rubbish dump permit. We also have a retailer license, and a permit to operate a mobile home park. The most amazing permit is the timber operators permit. I have to make an annual report on the number of sticks people pick up.

Every place needs a headquarters. This is the old school, where my son Glenn went to school, where I went to school, and where my mother went to school. It is now one of our offices and headquarters. All businesses like this must have headquarters to give out rules and regulations, maps, etc.

The most exciting rescue we have had was rescuing two members of the Santa Clara County Search and Rescue Team of the Sheriff's Department.

Getting back to patrolmen, they do not just enforce rules; they are out there to help people. All carry a tow rope, spare chain links, hoses to get gasoline, and so on. I cannot underemphasize the necessity of the patrol, or as Russ Penny put it, ambassadors of good will.

Strauch: Do you have people sign a waiver?

Harris: Yes. And a man who signed it is now suing us for $250,000. He ran in front of a motorcycle and broke his leg. These waivers probably discourage suits.

Vail: You refer to 20 years of use. Can you tell us about the density thru the years?

Harris: One hill shown had use every week for 20 years by dozens of bikes. Only in the past year has use increased considerably.

Schiavon: Would you recommend this type of operation to other private land owners as a profitable business? Or would you rather have cows on it?

Harris: The cows are not even covering taxes. We got into this to help pay the taxes. Last year we grossed $19,000 and spent $34,000, counting labor. This year we will probably gross $50,000 and spend maybe $30,000. The cattle were bringing us about $10,000. We still run the cattle. It is a potential lucrative operation, but the heartaches that go with it make you wonder if it is worth it. We had 35 agencies regulating us, and when this fellow made me get a timber operators permit that almost did it.

Someone: How many fatalities have you had thru the years?

Harris: Fatalities, none; broken legs, 3; broken wrists, 1; skinned knees, 44.

Edmiston: Have you any dry areas that compare with the desert?

Harris: No. You certainly cannot say that land will recover in low areas of rainfall on, say, a coarse soil like it does on adobe in high rainfall.

Bibles: How about fees?

Harris: We have gone to a straight $2.00 a day for the large bikes, $1.00 per day for mini bikes, $2.00 for overnight camping for the vehicle in which you arrive.

Penny: What is the condition of your ranch now? Do you think you will be able to continue without an extremely high degree of rehabilitation?

Harris: Some of it can be rehabilitated, and some cannot. Some we are just sacrificing to the motorcycles. We have carved out roads and hillclimbs, and after every rain, where we have had little ridges, we have gullies. I fill in the gullies, so eventually this hill is not going to be as high as it is now. Also, when we get rid of the top soil, we are destroying it. Some of it will never be rehabilitated.

Zeiner: What effect does all this have on your cattle operation and on the total carrying capacity of the land?

Harris: Up until this year, when we had the drought, we were carrying the same number of cows that we have always carried. In clearing roads for motorcycles, and removing brush, we have increased the grass. That is how we compensated for grass that motorcycles used up. We do have other areas where people park, and you couldn't find a blade of grass to save your soul. So it absolutely does decrease the carrying capacity of the cattle.

Kramm: How about the effect of motorcycles on wildlife?

Harris: We used to operate a hunting club on this property, and we decided they just were not compatible with off-road vehicles, so we abolished the hunting club. Since then, the game has apparently gotten used to off-road vehicles, and we see more and more, particularly deer and quail. They are getting very tame. Even the cattle come up and watch the races.

Isaacks: Howard, these figures on your returns indicate an increase. Can you give us more on this?

Harris: Last year we noticed that we were averaging about 22 motorcycles a day, on a Saturday. This year it is 10 times that much.

Talbot: Do you think this has anything to do with closing of Panoche?

Harris: No. I think you have a different group all together. Most of our customers have recently bought bikes. Only 2 or 3 percent are long time enthusiasts, such as former Panoche users.

Sloan: Would you say that this was not only the sales of new machines, but also the awareness that your park was available?

Harris: That is right. This awareness spreads by word of mouth. We used to have an unsuccessful advertising campaign, but then we started putting out fliers in motorcycle shops and that type of thing. This is mainly the way the word got out. Also, we have been catering to family groups. We do not charge a family over $5.00 no matter how many bikes they bring, and we do not charge entry per person like they do in some other places.

Cloyd: Howard, you mentioned 3,500 acres. Is this your total acreage?

Harris: This is the acreage open to bikes.

Cloyd: Do you have all that developed?

Harris: No. There is a lot of brushy country with not a trail. We develop it as we see the need.

Cloyd: Have you had to "rest" some areas?

Harris: No.

Penny: What is the lesson here for public lands?

Harris: The lesson for public lands is that you can't turn people loose without management. You can't mix different types of vehicles in the same spot at the same time.

Another thing we have learned is that groups are the most reliable people to deal with. One of the first things you might do, if you ever decide to open Panoche, is to do so by permit only to organized groups. They are more self policing. You are certainly going to have staff to manage the outlaws, and you are going to have to have rules and regulations. People must know what the rules are. You have to have management.

Someone: Can beer be brought onto your place?

Harris: We forbid alcholic beverages.

Vail: On this enforcement thing, how do you handle the percentage of the undesirable people?

Harris: We expel them and tell them not to come back.

Vail: Bodily?

Harris: We would if we had to, but we haven't had to yet.

If there are no further questions, we will proceed with the presentation by Paul Petty on where we are today in off-road management.

WHERE ARE WE TODAY IN ORV MANAGEMENT

by

PAUL PETTY
Riverside District

Slide Presentation

Petty: I am going to tell you mostly about special events, races and rallies, rather than the off-road vehicle situation in general.

Our basic objective in management has been to find out where these groups are going and what they are doing. Another objective was to minimize resource damage and conflicts. During the course of the 1971 calendar year we managed to get 75 organizations to come to us for permission thru letters of authorization. This included major four wheel drive rallies, 11 dune buggy events, and about 60 motorcycle events. In addition there were 128 events we missed involving 25 or more vehicles. Here are the 75 events in more detail. At the top of the list you see the most popular race in terms of numbers, the hare scrambles, a single loop event. Nineteen of those we got under permit. They average about 500 participants. Average attendance was over 2,000. European Scrambles numbered 17. This is popular with commercial outfits. The real point I want to make is that 32,000 participants actually entered these races. There were over 150,000 in attendance, in just 75 events. Some of these races involve up to 50 acres to house people overnight. A couple of the more important trends that we have observed resulted from new county ordinances curtailing ORV activities. There were 23 authorized commercial events. Professional promotors charge an entry fee and award cash prizes. This draws people both for fun and financial gains. Some purses draw big time drivers. At an enduro in Calico promoters charged $5 to $10 entry fees and anticipated 500 entries. Two thousand one hundred entries showed up. In fact, the 23 events we mentioned grossed over $150,000. Another trend we observed was large point-to-point races, such as the Ghost Town Enduro, that draw huge crowds. From a BLM standpoint these events are very difficult to handle. Pre-race checks over a 150 mile course, one way, are very time consuming.

Another trend is the change in environmental attitudes. There is more of a consciousness for the environment. ORV groups are very aware of the impact on the environment and they have clean-up campaigns, and so forth to help us out. The American Motorcycle Association and Motorcycle Industry Council are working closer with us all the time.

Problems with group events include deviations from the course that we agreed on, sanitation, safety, unsupervised children, and so on. We need a safety plan for each race and a patrol of the courses during and after the race. People break down in remote areas, get lost; serious accidents occur. Notification of concerned parties is a problem in areas like the San Felipe Wash, where we have probably 40% federal ownership and 60% private. We are starting to move now in this area because the conflicts with land owners and other types of recreation users. We are meeting with local law enforcement authorities, the race people, California Highway Patrol, and other interested parties trying to work out some way we can make that situation livable down there. I think that blocking up of land is going to be one of our real pressing needs.

That gives you an idea of the general problems we have had. Just a word on deaths. We gathered some statistics on deaths and injuries in the desert with the help of San Bernardino County, and learned of 125 deaths last year. Eighteen of these were off-road vehicle deaths.

Many of the problems I've mentioned will be resolved with the help of a ranger force.

Harris: We will now proceed with the President's Order on Off-Road Vehicles, by Dr. Floyd Newby. There have been interesting repercussions.

Penny: I have received hundreds of letters in support of the Executive Order.

THE PRESIDENT'S ORDER ON OFF-ROAD VEHICLES

by

DR. FLOYD NEWBY
Director's Office, Washington

Newby: About a year ago the Secretary of Interior formed a task force on off-road vehicles and associated management problems on federal land. We have a report from the task force, finally. It has not been distributed to the field yet, but I have a copy here. It is called the "Interior Study Report on Off-Road Vehicles". In it you will see many evidences of your own work, possibly some of the exact language of this group. ORVAC is probably the dominant feature and force in everything that has been done, which is a real credit to you people.

After some controversy on this task force there was pressure from one of the federal agencies put on the Council of Environmental Quality to get out an executive order on management of off-road vehicles. There was nothing we could do with the CEQ's wording of the original Executive Order. The language was not reflective of your work and it was at odds with BLM's past policy. Our policy has been that public lands are open unless we have specifically closed an area. The first cut on this Executive Order was the exact opposite; that all federal lands would be closed except those areas which were specifically opened to use.

This was a completely untenable situation for a land management agency having no control over entry and exit to its lands (the scattered ownership patterns that we have). This would work, perhaps, with an agency where their boundaries were definitely identified and entrance and exit were controlled. So, BLM did have a role in getting the language changed to that which is in the Executive Order as it now stands.

After it was issued, each agency was to prepare its regulations. They have a six month deadline in which regulations are to be published and instructions are to be issued to the field delineating areas which may or may not be open to off-road vehicle use. Also, a year from date of enactment, which was February 9, agencies had to publish operation regulations,

dealing with such things as spark arresters, noise levels, etc.

One other element in this Executive Order is to specify a time when we will have all of the public lands designated as being open or closed. We tentatively set a date of about 3 years from now, or at the end of calendar year 75. This was to coincide with the completion of our first generation management framework plans in the Bureau. This will probably not happen. Just the complexity of designating lands, whether open or closed, is going to make the task extremely difficult and perhaps more time consuming than we had originally contemplated. But, we are going to shoot for this particular date. This means that we are going to have to have people, guidance, and all of the other things that go along with any kind of a management practice, or operation such as this.

Now, each of the agencies began to develop their own regulations. BLM took a cut at its regulations based a lot on ORVAC recommendations, the existing regulations that we now have, a lot of motherhood kind of statements, the broad regulations that we could fit into specific management practices, which would be responsive both to the needs of people, and to the capabilities of the resource itself. We got a pretty good cut on these regulations and then the Department decided to enter into the picture and we had to throw all of these out. They decided that they were going to try to develop some uniformity in the regulations. The uniformity in terms of the approach to how we decide which areas are going to be open and which are going to be closed.

The first instructions, again, looked like they would be almost impossible for the Bureau to operate under. So our people in Washington went back to the Department, again utilizing many recommendations that were developed in your group, to get them to take a little softer approach to the development of the regulations.

Each of you has a copy of proposed rule making sent to our field offices last week, dated April 27th. It explains a little of what we are planning to do and gives a time table. Each of our field offices is to respond to this. They are to have this back into Washington by May 8th. Along with this, we have a special detail taken from states particularly interested in off-road vehicle management. We have California, of course,

Nevada, Oregon and Idaho. The one from Idaho is primarily for snowmobile operation. These will be the 4 states primarily involved in going over all the critiques that we receive from our field offices. They will make the final draft which will be submitted on May 15 to the Department for publication in the Federal Register on June 2nd. Let me emphasize that what they send forth is proposed rule making. This is not the final regulations or anything. This is a proposal; this is where you will have the opportunity to review these rules in light of their own special interest and submit their suggestions. There will be instructions in the Federal Register as to where you send them. There will be 30 days in which to reply. Approximately July 17th we will make the adjustments and send them to the Secretary. Then the final regulations go to the Federal Register on August 1st for publishing by August 8th.

One thing you might be particularly interested in - several times today there have been references made to the definition of an off-road vehicle. I would like to read to you the definition in here. "Off-Road Vehicle means any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain; except that such term excludes any registered motorboat, any military, fire, emergency, or law enforcement vehicle when used for emergency purposes, and any vehicle whose use is expressly authorized by the respective agency head under a permit, lease, license, or contract." Then it goes on to what official use is.

Harris: Under this definition, on these open hills of mine, my automobile goes up there once and awhile. Is that an off-road vehicle?

Newby: Your automobile will become an off-road vehicle.

Isaacks: How about a canoe?

Newby: This is only for motorized vehicles. We are not concerned about non-motorized units. These can be handled by regular agency regulations, if you feel that they have to be regulated.

You will want to notice on here, it says nothing about recreation vehicles. So keep that in mind. It means all motorized vehicles.

Sanford: The term cross-country used in here is sometimes misleading. Most of us who operate off-road vehicles cross country follow a deer trail or get off established paths. In the enforcement of some Forest Service regulations, cross country meant to them any unsigned trail, anything other than an administrative road or trail. This took in such things as some of the old pioneer trails that have been used by family pickups and everything else for years. I think that perhaps this cross-country should be defined as well.

Dick Barber and Del Vail, here today, are going to be on the task force next week, so two men here will help clean up these things for the draft that goes into the Federal Register.

Now, lets talk, just briefly, about the thinking that is going into this section dealing with permits, licenses and leases. The direction they appear to be going in Washington is that each resource activity within the Bureau will develop regulations which directly affect their clientele. In other words, the range people, with their permittees, will develop regulations to coincide with the regulations that come out in this 6000 series. You will have the same sort of thing with minerals. You can imagine the complications that are tied in with this. Our problem is that any recreationist driving his vehicle on public lands could have a pick axe and an ore sample bag on the back and say he is prospecting rather than recreating. And he would not, under the regulations as they now stand, be required to have a permit or adhere to the provisions of the regulations. So the feeling is that in order to get some control over indiscriminate prospecting that they would like to have some way of getting a permit for this kind of use. You can see some of the problems we will have on uncontrolled exploration. I guess the oil and gas people already are required to have a permit. So we know who is out doing that kind of work. The language in these permits is going to be changed to coincide with the regulations that are finally developed for off-road vehicle use.

There are so many possible conflicts that I can't emphasize enough to each of you the importance of you taking a real close look at these things and letting us know what your feelings are.

We have fought to try to keep our lands as open as possible for all of our users, and tying in with what Secretary Morton said yesterday, if we err, it will probably be on the side of conservation.

Penny: I wonder if you might comment a little about the next step beyond this. The Bureau has a manual procedure where you get down to brass tacks.

Newby: There is one other aspect to this. It ties in with what Russ has requested. We will be developing a manual for our field offices in which we lay out the procedure and the criteria with which we use to decide whether an area is going to be open or closed. You also notice in this draft there are only two classifications. Either open or closed. But in the open category it means with restrictions. I can't visualize hardly any opening that doesn't have some kind of restrictions on it. This is the rationale for just having the two instead of three. You came out with three; open, open with restrictions, and closed. The Department felt that no matter what kind of an opening you had there would be some restrictions imposed if it is nothing more than extreme fire danger periods, or dust storms, etc. So any area designated open would have some possible restrictions.

To talk just a second more on the matter where we go from here, we are going to develop the manual procedures that our field will use. We will get a lot of input from groups such as ORVAC in developing regulations for this manual. Our policy, as now stated, is that any closure or any area designated as being open will be so designated only in accordance with the Bureau planning system. This means that you have a chance before any of this action is taken to get your ideas heard, because the Bureau planning system allows for public participation throughout the process. There will be a program to identify to the public, in the form of maps and various publications, which areas to be closed, which areas to be open, and the restrictions which will occur on those areas.

A few of you know what the Bureau is planning in management of visitors to public lands. Russ has called them "Ambassadors of good will", and so forth. We recognize this and will be hiring in our Washington Office, after July 1st, a Visitor Management Specialist to help develop a total program for the Bureau dealing with visitor management. We will also have a Visitor Service Specialist in our Denver Service Center who will deal directly with visitor services. This person will be a specialist to help us with our interpretive program, search and rescue and other areas. We are definitely moving in a positive direction in visitor management. Russ Penny has done a very fine job in pulling a lot of this together already. We are going to take

much of the work that has been done here in California and use it as the building block to launch a program which we feel will not only establish the Bureau a little stronger in recreation, but maybe a little stronger in the whole idea of being a little more responsive to the needs of our various publics.

Now, I will talk about anything you want.

Edmiston: After these guidelines are published in the Register will you go ahead in designating areas?

Newby: After the final regulations are published, which will be in August.

Edmiston: Will the public not have the opportunity to participate in saying what areas should be designated?

Newby: Definitely. It is part of the planning system. And that means public participation, in any action involving any land action.

Voght: We take the Federal Register, but just how will the average person know about this?

Newby: There will be notices of public meetings relative to this. Possibly in your local newspaper.

Harris: Lets face it, the average public won't know it is going to happen.

Newby: Most of the people who are interested will know. There will be advertisement, I'm sure, relative to this.

Penny: There will be notices sent to the news media.

Newby: I neglected to mention one very important part of this. We have a draft of an environmental statement, prepared primarily by the Bureau of Outdoor Recreation, regarding implementation of the Executive Order. It may get in the Federal Register the same time as the proposed regulations.

Kramm: You mentioned that when decisions are made whether lands will be open or closed there would be a map submitted. Would this be for review at a district office, or a map that will be sent to the people?

Newby: Certainly these will be available for distribution thru our State and District Offices. They will probably be distributed in much the same manner as they have in the past, getting into the sales offices for vehicles, and that sort of thing.

Kramm: It is very necessary where you have a complicated system of use areas, to have a map and study it at length to determine what areas are useful and what are not. When you review a map in the district office you just can't do it that way.

Newby: Another provision brought about primarily by the legal aspects is that there will be posting of areas that are open and posting of areas that are closed. This is necessary, we are told by our Solicitor, in order to enforce any kind of regulations.

Penny: What kind of posting, by state law? Or are we going to have our own?

Newby: That is a good question. I don't know.

Penny: Because State law is just completely prohibitive.

Kramm: You spoke of an environmental statement. Now I'm somewhat confused here. Each agency of Government is going to promulgate rules just as this one is here, and there is going to be a similarity between these? Or is each one on their own to develop a statement? What does the environmental policy statement have to do with it?

Newby: Each agency will, of course, develop their own. Mainly, because each one of them operates under a slightly different charter and so the impact upon the lands and the procedures with which they respond to this use will be different. You will find that our statement will be very close to that of the Forest Service. In fact, we have compared notes right down the line. Remember, this is a statement on the action, which is the designation of either being closed or open. It is not on the impact of the vehicle on the land or anything like that. It is on the action of allowing the use or disallowing.

Penny: This question on posting - that has been bothering me for a very long time, wondering how that was going to come out. When you said that the Solicitor advised that it would have to be posted, does that mean that they will have to be posted to be open or posted to be closed? We are talking about literally hundreds of thousands of miles.

Newby: Part of the posting, I think, will be interpreted as being these published maps.

Penny: You mean maps will constitute posting?

Newby: I think this will be part of the interpretation.

Penny: I was assuming that somewhere along the line something like this would come out.

Newby: It is a problem. And not an easy one. It just isn't realistic that we post everything. We will have to devise a system and this will come out in the manual instructions which will be developed after the regulations.

Zeiner: I'm not sure I understand completely your environmental impact statement. To me there will be tremendous differences in the environmental impact in motor vehicle use on different sites. Is the intention to have one impact statement to cover all sites?

Newby: This is the point I tried to bring out is that it does not. The statement is not on the impact of the vehicle on the land. It is the impact of the action, in other words, the implementation of the Executive Order. What is the impact if we open lands? What is the impact if we close lands?

Sloan: In other words, you won't need to survey totally.

Newby: No. All you are doing is identifying those things that you probably have to look for before you even designate an area. An analysis will occur and will be part of the manual instructions. In some cases where we designate a large area to be open then we may have to come out with an environmental statement for that area. But certainly most every action we have here of designation an environmental statement will have to be made.

WHERE DO WE GO FROM HERE?

by

COUNCIL MEMBERS

Harris: I am going to ask Russ to handle this, and we want response from the council.

Penny: I discussed with the Director and the Associate Director their views as to what they thought should be the future of ORVAC. The response I got was, by all means, we should invite ORVAC to continue because they consider that you have been a very productive group and an unusually good committee. They would just hate to see you disbanded. Very seriously, they felt that at this particular time with the development of the regulations it would certainly be a very poor time for our ORVAC to disband, and I certainly feel the same way. But, of course, we must again recognize that you are an ad hoc committee and as such are not entitled to things such as per diem. So whatever functions you perform in the future will have to be on the same basis that you have in the past, which is as a voluntary organization serving at your own expense and your own discretion and representing the agencies that you do. So, with that, I think the first thing we must resolve is whether or not ORVAC wishes to continue or not. What is your pleasure?

Several: We should continue.

Schiavon: Speaking for our organization we will definitely continue if you so desire as State Director. We will continue to do whatever we can to help out.

Penny: Is there any expressions to the contrary?

Kramm: I would like to make a comment. We have an unusually short time in which to make comments upon the Presidential Order and on the implementation of this order. I am just wondering what we can do since the time is so short. I would like to see the committee continue if we can contribute.

Harris: I have spoken to the members individually, and I think I express the feeling of the group when I say -- if you want us, we will continue.

Ron and I feel that our procedure might be that all of us will go home and read this material to be familiar with it, and when the Federal Register, tentatively set for June 2, comes out this would be made available to the members. Then we would proceed as in the past. We would each put into writing our suggestions, and this would be sent back to the central office and compiled. Then we would meet to go over these.

What is your reaction to that?

Several: Favorable.

Kramm: I am just wondering if this deadline can't be extended to allow a better decision to be made.

Harris: I agree with you, Al, that it would have been ideal if we had more time, but here is the deadline set. Now your suggestion is that we ask for an extension, right?

Kramm: Or at least a 60 day period instead of the 30.

Penny: We have the advantage that other people don't have, in that Floyd has given us this advance copy. And we have a representative on this, Dal Vail, whom I think the task force would appreciate going to work on this right now. We are going to start work immediately, so when Del goes back to Washington, he is going to have an understanding of what we think.

Harris: This is a good suggestion. Perhaps our first input should be on what we have. Ship it in here within the next few days so that when Del goes back there he has the maximum amount of input.

Schiavon: As far as the California Wildlife Federation is concerned, pertaining to the President's Executive Order, we do have a very short statement when the time comes to speak.

Penny: It would be best for all of you to contact Del directly with your comments.

Holden: I think we should get started with this thing just as Russ has suggested.

Edmiston: Great idea.

Ham: O.K. by me.

Harris: We have consensus here - lets get our inputs to the man who is going to Washington.

Vail: Our phone number in Riverside is 714-784-1600 (commercial); 714-686-9280 (FTS). Our address is 1414 University Avenue, or P.O. Box 723, Riverside, 92502, if you want to get them to me in the mail.

Harris: The plan is that tonight you look at this, make your comments and get them in to Del by phone or mail. Then, do you still want to see what comes out in the Federal Register and meet on it and see what consensus we get?

Several: Yes.

Harris: Who will get this Federal Register first. Can they send it to us directly?

Penny: I'll see that it gets to you just as soon as possible.

Wilkes: Could we have our districts respond to Del, too, by Friday?

Penny: Yes.

Harris: We will get the Federal Register about June 2, and how soon after that do you want to meet?

Edmiston: We will meet on call.

Harris: Al, you had a statement you wanted to make.

Schiavon: The policy of the California Wildlife Federation has always been, and still is, to support the concept of multiple use management of the public domain lands administered by the Bureau of Land Management.

We have continually urged the completion of the land classification program.

We have supported the retention in public ownership of all public domain land having important recreational, wildlife, conservation, and public use values.

We have, and will continue, to support the expansion of the resource management program of the Bureau of Land Management with the necessary funds and manpower to protect, develop, and insure the greatest public values, whether they be economic, social or aesthetic on the public lands.

We have specifically urged, and will continue to do so, the expansion of programs to maximize wildlife habitat and public recreational values on public domain land.

Further, we support and have urged the Bureau of Land Management to dispose of small, isolated parcels of public land that have no or only minimal value for historical, fish and wildlife conservation, recreational, or other natural resource purposes. But first such lands, whenever possible, should be exchanged for other lands, public or private, to block up public domain lands and eliminate checker-board land patterns.

We continue to urge the expansion of information programs to identify public domain lands, and to fully inform the public of the location and importance of these lands.

We have studied Executive Order 11644, Use of Off-Road Vehicles on the Public Lands, signed by President Nixon, February 8, 1972. It is our conclusion that this order covers and implements most of the points discussed by this council and which this council wanted put into effect. We do not know whether the Bureau can meet the deadlines set forth in Section 3, Zones of Use, and Section 4, Operating Conditions, of the Order. Only they can answer this question.

The Federation believes the Order directs and gives guidance to the Federal Land Management Agencies to move ahead in their land and resource management practices that will ultimately lead to the protection of the values we are all vitally interested in preserving.

Further, we believe the order provides for public participation in the development of plans and regulations pursuant to the order. Therefore, we have no disagreement with the Order.

So let's move ahead and get accomplished the management practices that will protect our resources and at the same time allow compatible uses of the resources.

Harris: We would have a hard time arguing with that. Beula, you had asked when the time was to make your address - the time is now.

Edmiston: The Desert Protective Council certainly has no fault to find with the President's Order nor the statement made by the California Wildlife Federation. The only thing the Desert Protective

Council has to offer is to add, which was very well put by Al, our eagerness to assist either with other groups working with the Bureau or with the Bureau in any aspect. We want to help. It is a vital thing, and please let us help.

Harris: I'm sure that will be welcomed by the Bureau.

Are there any other statements?

Sloan: The Motorcycle Industry Council and American Motorcycle Association have both endorsed the President's Policy and the MIC has hired a land use man from the Washington Office of BLM to assist in furthering the Presidential Order.

Kramm: We do not endorse the President's Order as it now stands.

Holden: We certainly do endorse the President's Policy.

Sanford: I had the pleasure to serve on the Ukiah District ORVAC committee, and in their last meeting we made some resolutions. One of the last resolutions was to encourage BLM to follow the suggestion that BLM dispose of small, isolated parcels of public land of minimal value, and in exchange for these lands, try to block up public lands to get a multiple use trail network.

Harris: Certainly we would endorse that.

Penny: I would like a quick discussion in connection with our commencing to issue special use permits rather than letters of authorization for the use of organized events. In my opening statement I noted the need for cooperation with people seeking the permits well in advance. There is no good reason why we can't get these started in September, and have it over by January, if they belong to an organized group.

Sloan: You set your calendar in October with the district, and in December it is solidified. Then you start scheduling your course. There's the problem, and it's time consuming. You fly over it, drive over it, map it, and it is a tremendous amount of work. We try now to get right with the Bureau district office and say this is roughly where we are going. What is your opinion? Then we take it from there.

Penny: As mentioned here earlier, some groups come and apply only a few days before the race. We can't do it.

Sloan: That was a professional promotion. They are bad.

Penny: Right, but the point is that we have to set up some strict rules about this. We just don't have what it takes to get this job done, and if you have any guidance for us, how to get this done in terms of timing, we would appreciate it. Sooner or later I'm afraid we are just going to have to say unless you are in here in such and such a time, don't come at all, because we are not going to allow it.

Sloan: We can appreciate that.

Penny: I don't know what else we can do.

Harris: Couldn't you agree on a deadline? What should it be, Ron, 30 or 60 days?

Sloan: Our race is in October and we started working on it a month ago.

Vail: Ron was in several months ahead like he said, but it was just a few days before we had it nailed down. Weeks were spent out there flying, and a lot of it was the same; some was completely different. It was only a week before the race when we knew for sure.

Sloan: On that run we had 8 different law enforcement agencies, highway patrol, Indians, Indian police, Tribal Council, maybe 15 or 20 agencies before you are finished. You run into one stumbling block and that might mean changing 50 miles.

Harris: Is it the initial application that is important, or is it the finalizing?

Sloan: The final.

Penny: But how do you get down to the brass tacks in saying that here is how it is going to be done?

Vail: Just what you said. Either it is nailed down at a specific time or it isn't going to happen.

Penny: Are we going to say that it is going to be 30 days in advance - 60 days? Lets get a recommendation from the group here.

Sloan: Russ, I think you are being unfair to ask for a recommendation. There is not one person sitting at this table, other than probably the dune buggy man, and the motorcycles that has the slightest idea

of what it takes to put on an event. So how could they tell you how to schedule it?

Penny: Well, you can give us an idea.

Sloan: I would say that 30 days in advance should be a reasonable time.

Penny: I think this is going to be the most important change this year, this new system. We should publicize any new deadline regulation in the newspapers.

Sloan: Del has worked up something very clever, and we agree. We have a race to the river each year. The first year we start at the Marine Base, 29 Palms, to Parker. Last year we started at Chirraco Summit to Parker. This year we are hoping to start at a town called Ludlow, out of Barstow. That gives us three courses. It is a built in rotation system. The Bureau will have all the maps on those courses. All we have to do is pick up the telephone and say it is course A this year, B next year and course C the year after. All the mechanics would be there well in advance of the event. Once we get this seasoned out, that's going to make it a whole lot easier.

Penny: In our discussions in the past I have heard you mention that most all of the organized events are scheduled way in advance to avoid conflicts.

Schiavon: If what Ron said was in the form of a motion, I would like to second it and see how the council feels.

Harris: You want to recommend a 30 day finalizing?

Sloan: You are going to have to leave an escape clause in there. You know, an act of God, or some other thing comes along, heavy rains wash out the whole area.

Isaacks: We need to consider that if we go this permit route we will have things that we have never had to do before. It will require an appraisal of the route, and we don't have the people to get out and get this done. We are going to have to have time to do these things.

Penny: That is what I'm saying. Is 30 days enough?

Harris: We are saying "finalized".

Isaacks: We are not sure how detailed this is going to be, and each one is going to require an environmental impact analysis from us.

Harris: Well, if it is finalized 30 days before the race, this means the initial application has to be far enough ahead to have all that worked out. This means then that someone may apply too late to finalize it.

Penny: I was referring to the initial date, not the final date.

Harris: I was referring to the final date.

Sloan: On the initial date, I can't give you a date because we try to find an area roughly, and take a map down and see what it looks like. The further in advance the better.

Harris: It might take an initial 6 months ahead of time.

Sloan: Or it could be even longer.

Penny: That is the point that I have been trying to make. It is the initial part that is bothering us.

Sloan: Russ, if you'd like, rather than to try to push thru a decision here I think that the ORVAC committee itself wants to do what will make it easy for the Bureau. When Del is back from Washington, if you want I will go down to Riverside or Bakersfield and meet with these fellows and see if we can't work up something on this.

Penny: I was going to suggest that you have a little meeting and come up with a recommendation on how we can really handle this planning.

Sloan: O.K.

Holden: That impact study is going to take you more than 30 days, at least at first.

Harris: I was thinking it ought to be finalized 30 days prior to the event so this would mean possibly 6 months from time of application.

Penny: I suggested 6 months when we had our discussions before.

Sloan: I can appreciate this fact, the ones that are familiar with the area know the areas that they actually have to look at. It is a rarity that they would have to traverse the entire course, so the impact study could be lessened depending on where the race was put on.

Harris: O.K. why don't some of you motorcyclists and event people get together and make a recommendation and, if it is not finalized maybe next meeting we will make a decision.

Is there anything else to come before the meeting before we close?

Thank you very much for coming.

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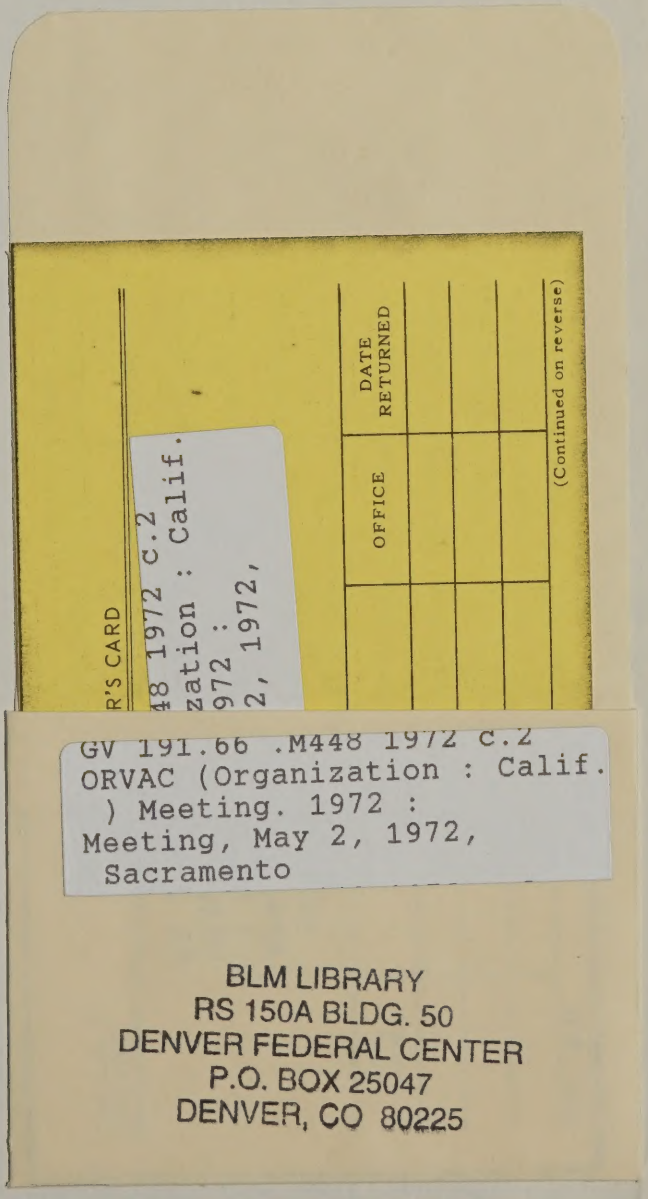

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